

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

IN RE COLUMBIA UNIVERSITY  
PATENT LITIGATION

MDL No. 1592

This document relates to all actions

**PLAINTIFFS' UNOPPOSED JOINT MOTION FOR LEAVE TO FILE AN  
OVERLENGTH OPPOSITION TO COLUMBIA'S MOTION TO STAY LITIGATION  
PENDING CONCLUSION OF REEXAMINATION AND REISSUE PROCEEDINGS**

Plaintiffs Genentech, Inc., Biogen Idec MA Inc., Genzyme Corporation, Abbott  
Bioresearch Labs., Inc., and Johnson & Johnson respectfully seek leave to file an overlength  
memorandum in support of their Joint Opposition to Columbia's Motion to Stay Litigation  
Pending Conclusion of Reexamination and Reissue Proceedings in the Patent and Trademark  
Office.

The additional pages are necessary because the issues presented by Columbia's motion  
are complex and have required extensive research into both case law and patent examining rules  
relevant to the proceedings in the Patent and Trademark Office.

Further, this joint opposition represents the efforts of five plaintiffs to consolidate into a  
single brief arguments they originally crafted separately. Although plaintiffs' cooperative effort  
has resulted in a brief more than twenty pages long, plaintiffs believe that their joint submission  
avoids the redundancy and inefficiency that would result if their arguments were spread over  
three or more separate submissions.

Accordingly, plaintiffs respectfully request the additional pages necessary for them to  
make their submission joint.

Counsel for Columbia has indicated that Columbia does not oppose this motion.

Respectfully submitted,

Dated: June 16, 2004

/s/ Claire Laporte

Donald R. Ware (BBO # 516260)  
Claire Laporte (BBO # 554979)  
Carla Miriam Levy (BBO # 654212)  
FOLEY HOAG LLP  
155 Seaport Boulevard  
Boston, MA 02210-2600  
Telephone: (617) 832-1000  
Facsimile: (617) 832-7000  
Attorneys for BIOGEN IDEC MA INC. and  
GENZYME CORPORATION

/s/ Marcus E. Sernel

Mark A. Pals  
Marcus E. Sernel  
KIRKLAND & ELLIS LLP  
AON Building  
200 East Randolph Drive  
Chicago, Illinois 60601  
Telephone: (312) 861-2000  
Facsimile: (312) 861-2200  
Attorneys for ABBOTT BIORESEARCH  
CENTER, INC.

/s/ Peter E. Gelhaar

Peter E. Gelhaar (BBO #18831)  
DONNELLY, CONROY & GELHAAR, LLP  
One Beacon Street  
Boston, Massachusetts 02108  
Telephone: (617) 720-2880  
Facsimile: (617) 720-3554  
Attorneys for ABBOTT BIORESEARCH  
CENTER, INC.

/s/ Charles K. Verhoeven

Adrian M. Pruetz (Cal. Bar No. 118215)  
Charles K. Verhoeven (Cal. Bar No. 170151)  
Robert W. Stone (Cal. Bar No. 163513)  
QUINN EMANUEL URQUHART OLIVER &  
HEDGES, LLP  
50 California Street, 22<sup>nd</sup> Floor  
San Francisco, California 94111  
Telephone: (415) 875-6600  
Facsimile: (415) 875-6700  
Attorneys for  
GENENTECH, INC.

/s/ Steven A. Zalesin

Steven A. Zalesin (SZ 0901)  
Jeffrey I.D. Lewis (JL 8335)  
Melissa Mandrgoc (MM 4686)  
PATTERSON, BELKNAP, WEBB & TYLER LLP  
1133 Avenue of the Americas  
New York, New York 10036  
Telephone: (212) 336-2000  
Facsimile: (212) 336-2222  
Attorneys for JOHNSON & JOHNSON

**CERTIFICATE OF COMPLIANCE WITH LR 7.1(A)(2)**

Pursuant to LR 7.1(A)(2), the undersigned certifies that counsel for plaintiffs Genentech, Inc., Biogen Idec MA Inc., Genzyme Corporation, Abbott Bioresearch Labs., Inc., and Johnson & Johnson have conferred with counsel for the defendant Columbia. Columbia has indicated that it does not oppose this motion.

/s/ Claire Laporte  
Claire Laporte

Dated: June 16, 2004